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VIA ECF

Judge Katherine Polk Failla
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: 1:23-cv-09266-KPF Tarr v. Kubiya Games, LLC

January 4, 2024

Status Letter and Request for Adjournment of Conference

MEMO ENDORSED

Dear Judge Failla,

Plaintiff's counsel submits this letter-motion to seek an adjournment of the initial pretrial conference, currently scheduled for January 9th, 2024 at 3:00 PM. Counsel will be out of the country, in Asia, and unable to attend the conference on that date. Furthermore, Defendant has yet to make contact with our office. Plaintiff requests a 45-day adjournment and proposes to reschedule the conference for February 23rd, 2024, or a date convenient to the Court. If Defendant does not appear, we will file a motion for Default Judgment before that date. This is the first-time relief is being requested.

We thank the Court for its attention and consideration in this matter.

Respectfully submitted,

/s/ Mars Khaimov
Mars Khaimov, Esq.
Attorney for Plaintiff

Application GRANTED. The initial pretrial conference scheduled for January 9, 2024 is hereby ADJOURNED to **February 28, 2024, at 3:30 p.m.** The dial-in information for the conference remains the same, and is as follows. At the aforementioned date and time, the parties are to call (888) 363-4749 and enter access code 5123533.

Plaintiff's counsel is advised that, going forward, he should not expect that the court will move its conferences to accommodate his travel plans, absent good cause. Furthermore, Plaintiff's counsel is directed to review Defendant's answer, recently filed at docket number 8, before making any motion regarding a default judgment.

The Clerk of Court is directed to terminate the pending motion at docket number 9.

SO ORDERED.

Dated: January 5, 2024
New York, New York

Katherine Polk Failla

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE